

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36789 of 2025

Arising Out of PS. Case No.-386 Year-2024 Thana- SHEKHPURA District- Sheikhpura

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Suraj Kumar S/O Ranjit Kumar R/O Vill.- Jamalpur, P.s.- Sheikhpura, Dist.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 19-08-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Sheikhpura P.S. Case No. 386 of 2024 instituted for the offence under Sections 118(1), 103, 238 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is that on 10.10.2024 the informant's father went to sell vegetables near Chandani Chowk but did not return home, and on the following morning his dead body bearing multiple injuries was found lying in water near the cemetery, whereupon the informant alleged that unknown miscreants had killed him and thrown the body.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 03-04-2025. Petitioner bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Phulchun Kumar @ Pocha and the same has no evidentiary value in the eye of law. Nothing incriminating has been recovered from the possession of the petitioner. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Co-accused, namely, Phulchun Kumar @ Pocha has stated that it is the petitioner who has assaulted the deceased by means of *Daab*, which is corroborated by the postmortem report, wherein it is found that multiple injury on head due to sharp cut.

7. Considering the aforesaid facts and circumstances of the case, there being involvement of the petitioner, which is disclosed in the confessional statement of co-accused, hence, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is *rejected*.



8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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